

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

LINDSAY E. WEINBERG,

Plaintiff,

vs.

NAVIENT CORPORATION,
NAVIENT SOLUTIONS, LCC,
NAVIENT CREDIT FINANCE
CORPORATION, and JOHN DOES,
INC. 1–10,

Defendants.

CV 23-123-BLG-SPW

ORDER ADOPTING
MAGISTRATE’S FINDINGS
AND RECOMMENDATIONS

The United States Magistrate Judge filed Findings and Recommendations on August 2, 2024. (Doc. 40). The Magistrate recommended that Plaintiff Lindsay E. Weinberg’s Motion for Remand be granted. (*Id.* at 1).

Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate’s Findings and Recommendation. No objections were filed. When neither party objects, this Court reviews the Magistrate’s Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir.

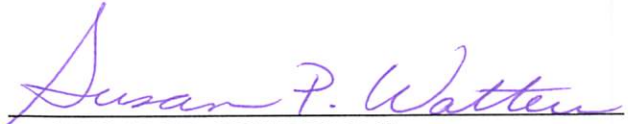
2000). After reviewing the Findings and Recommendation, this Court does not find that the Magistrate committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 40) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Plaintiff Lindsay E. Weinberg's Motion for Remand (Doc. 37) be GRANTED. Since the case is being remanded to the state court, IT IS SO ORDERED that Defendants' Motion to Dismiss (Doc. 24) be DENIED as moot.

The Clerk of Court is ordered to close the case.

DATED this 19th day of August, 2024.


SUSAN P. WATTERS
United States District Judge